

REMARKS

Claims 1, 9, 14, and 19-22 are currently pending in the present application, with Claims 1, 9, 14, and 20-22 being amended. Reconsideration and reexamination of the claims are respectfully requested.

Applicant would like to thank the Examiner for taking the time to conduct an in-person interview on January 8, 2007, during which the distinctive features of the present invention were discussed with the Examiner.

The Examiner rejected Claims 1, 9, 14, and 19-22 under 35 U.S.C. § 102(b) as being anticipated by the owner's manual of the Roland VS-1680 Digital Studio Workstation ("Roland"). This rejection is respectfully traversed.

As previously communicated and as discussed during the interview, the present invention is directed to multi-track recording/reproducing devices (and computer program for using with) that provide automatic prioritization amongst the tracks when some of the tracks are to be used for recording and some of the tracks are to be used for reproduction such that the setting of tracks for recording supersedes the setting of tracks for reproduction in certain circumstances. In particular, during real-time operation, when an increasing number of tracks are sequentially designated as recording tracks, the limit of the allowable number of tracks to be used for reproduction is correspondingly decreased. Additionally, tracks for which reproduction are no longer allowed are automatically muted and are instead made available for recording purposes.

The prioritization of tracks between recording and reproducing functions provide the advantage of allowing the user to sequentially designate tracks for recording without having to worry about reducing the number of tracks being used for playback. In real time operation, this feature allows users to quickly set recording tracks without having to first turn off a playback track

in order to make an additional track available for recording. At the same time, the prioritization function automatically prohibits a user from designating additional tracks for playback if doing so would interfere with ongoing recording functions of the tracks.

With respect to Claims 1, 14, and 19, Applicants submit that Roland fails to disclose or suggest prioritizing between recording tracks and reproduction tracks, and the automatic muting of reproduction tracks as recited in the claims of the present application. Rather, Roland simply discloses the ability by the user to simultaneously designate a plurality of tracks for recording or for reproduction, up to the maximum number of allowable tracks provided by the hardware. As discussed during the interview, while the device disclosed in Roland inherently limits the maximum number of tracks that can be set for recording or playback purposes, Roland does not contain any disclosure or suggestion of automatic prioritization.

Specifically, Roland does not teach or suggest the function of, for instances of when all of the tracks are occupied, some of which are set for recording and some of which are set for reproduction, allowing a user to set one or more tracks for recording function by canceling the previous setting of a track that was set for reproduction function (i.e., provide priority to recording tracks over reproduction tracks). At the same time, Roland does not contain any disclosure or suggestion of, for instance when all of the tracks are occupied, prohibiting setting of a track to playback mode if the resultant number of playback tracks would be greater than a predetermined reproducible number (in the instance of Claim 1, the reproducible number is determined by a reproducible track number-determining section).

Applicants further submit that the track bouncing function of the Roland VS-1680, which involves mixing down two or more tracks into a separate track in order to make an additional track

available, does not amount to a disclosure of the automatic prioritization of tracks as recited in the claims.

In view of the above, Applicants respectfully submit that Claims 1, 9, 14, and 19 are not anticipated by, nor obvious in view of, Roland.

The present invention as claimed in Claims 20-22 is directed to a multi-track digital recording device that include, inter-alia, input sections for receiving audio data input from an external device, mixing input channels for controlling the characteristics of the inputted audio data, and an input patch for assigning and selectively connecting the various input sections with the assigned mixing input channels (the assigned connections are also displayed). The assignment of input sections could be viewed on a channel path display, which is also recited in the claim.

As discussed during the interview, Roland does not contain any disclosure or suggestion of an input patch section or a channel-path display as recited in the claims. While page 61 of Roland includes a figure demonstrating assigning audio sources to the desired tracks of the Roland VS-1680 (via REC buses). It does not show, or correspond to, an input patch section as recited in Claim 20 (Applicants note that the "input channels" as labeled in page 61 of Roland is not the same as the "input channels" recited in the claim). Rather, as illustrated to the Examiner during the interview, an example of an input patch is found in the Owner's Manual of Roland VS-2480, at page 292; the input patch therein is labeled as "input mixer." The VS-2480 was introduced after the priority date of the present application; accordingly, the Owner's Manual of the VS-2480 does not constitute as prior art to the present application; for the Examiner's quick reference, Applicants hereby submit a copy of the VS-2480 Owner's Manual as Exhibit 1 to this Amendment.

In view of the above, Applicants respectfully submit that Claims 20-22 are also not anticipated by, nor obvious in view of, Roland.

Applicants submit that each of the presently pending claims in this application is believed to be in condition for allowance. The Examiner is invited to contact the undersigned attorney at anytime with any further questions or clarifications regarding the claimed subject matter.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 393032027300. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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